

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 SIL-01 LAB-04 EB-08 CIAE-00 INR-07

NSAE-00 COME-00 HEW-06 /039 W

-----125671 061420Z /41

R 051554Z AUG 77

FM AMEMBASSY BRUSSELS

TO SECSTATE WASHDC 1260

INFO AMEMBASSY BONN

AMEMBASSY LONDON

AMEMBASSY PARIS

AMEMBASSY STOCKHOLM

AMEMBASSY THE HAGUE

UNCLAS BRUSSELS 09471

ALSO FOR USEEC

E.O. 11652: NA

TAGS: ELAB, BE

SUBJECT: DEPARTMENT OF LABOR INFORMATION REQUEST ON ADVANCE
NOTICE OF LAYOFFS

REF: STATE 175050

THE FOLLOWING RESPONDS TO THE QUESTIONS POSED IN PARA 2, REFTEL:

NOTIFICATION REQUIREMENTS: IN THE CASE OF INDIVIDUAL LAYOFFS,
BELGIAN LAW REQUIRES ONLY THAT THE EMPLOYEES AFFECTED BE GIVEN
ADVANCE NOTICE. HOWEVER WHERE A FIRM EMPLOYS 20 OR MORE PERSONS,
LAYOFFS INVOLVING 10 OF THE WORKFORCE (OR 6 OR MORE WORKERS)
WITHIN A 60-DAY PERIOD HAVE TO BE NOTIFIED 30 DAYS IN ADVANCE TO
THE NATIONAL EMPLOYMENT OFFICE (ONEM). PROJECTED PLANT CLOSINGS
HAVE ALSO TO BE NOTIFIED AS SOON AS POSSIBLE TO THE
WORKERS INVOLVED AS WELL AS TO THE ONEM AND THE MINISTRIES
OF ECONOMIC AFFAIRS AND LABOR & EMPLOYMENT. TEMPORARY LAYOFFS-
WHERE THE WORKER IS CUT TO PART-TIME EMPLOYMENT WITHOUT SEVERING
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THE WORK CONTRACT - MUST ALSO BE NOTIFIED 7 DAYS IN ADVANCE TO
THE ONEM, WHICH ADMINISTERS PART-TIME UNEMPLOYMENT COMPENSATION.
AND, FINALLY, ANY PLANNED REDUCTION-IN-FORCE THROUGH PRE-PENSIONING
MUST BE NOTIFIED TO THE ONEM, WHICH PAYS THE PRE-RETIREE THE
DIFFERENCE BETWEENHIS UNEMPLOYMENT COMPENSATION ENTITLEMENT
AND HIS FULL RETIREMENT BENEFIT.

COSTS/BENEFITS OF PRIOR NOTICE: ADMINISTRATIVE COSTS FOR THE ONEM FOR 1975 TOTALED BF 2.4 BILLION (\$66.6 MILLION). THE BELGIAN AUTHORITIES ARE UNABLE TO ESTIMATE WHAT PART OF THIS COST MIGHT BE ATTRIBUTABLE SPECIFICALLY TO ADMINISTRATION OF THE PRIOR NOTICE SYSTEM - PRESUMABLY IT WOULD BE QUITE SMALL. AN ADDITIONAL "COST" - POINTED OUT BY SOME EMPLOYERS - WOULD BE AN EXTENDED PERIOD OF PROTEST (WORKSTOPPAGES, PLANT OCCUPATIONS, ETC.) BY WORKERS IN DEFENSE OF THEIR JOBS

ON THE BENEFITS SIDE, PRIOR NOTICE IMPROVES THE ONEM'S KNOWLEDGE OF THE LABOR MARKET, ALTHOUGH NO DATA ARE AVAILABLE WHICH WOULD INDICATE NOTIFICATION RESULTS IN EARLIER PLACEMENT FOR LAID-OFF WORKERS. THE NOTIFICATION REQUIREMENT BENEFITS THE UNIONS IN THAT IT MAXIMIZES THE POSSIBILITY OF DEFENSIVE ACTION. FINALLY, UNEMPLOYMENT BEING A PRIORITY NATIONAL PROBLEM, NOTIFICATION BENEFITS THE GOVERNMENT BY ALERTING IT TO MASSIVE, POLITICALLY SENSITIVE LAYOFFS AND ENABLING IT ON OCCASION TO FIND ALTERNATIVE SOLUTIONS. THE BELGIAN GOVERNMENT, IN FACT, HAS TAKEN THIS A STEP FURTHER BY DEVELOPING AN "EARLY WARNING SYSTEM" WHICH ALERTS IT TO DEVELOPING FINANCIAL PROBLEMS WHICH COULD EVENTUALLY LEAD TO LAYOFFS.

EMPLOYER REACTION: EMPLOYERS GENERALLY FIND NO PROBLEM WITH THE NOTIFICATION REQUIREMENTS. THE EMPLOYER "COST" MENTIONED ABOVE HAS NOT BEEN RAISED AS AN OFFICIAL OBJECTION BY EMPLOYER ORGANIZATIONS.

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EMPLOYER RESISTANCE: MAJOR COMPANIES HAVE NOT RESISTED GIVING THE REQUIRED NOTICE. CHAMBERS

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Message Attributes

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Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
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